

**2006 No. 127**

**ENVIRONMENTAL PROTECTION**

**WATER**

**The Water Environment (Consequential Provisions) (Scotland)  
Order 2006**

<i>Made</i> - - - -	<i>8th March 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>9th March 2006</i>
<i>Coming into force</i> - -	<i>1st April 2006</i>

The Scottish Ministers, in exercise of the powers conferred by sections 36(3) and 37 of the Water Environment and Water Services (Scotland) Act 2003<sup>(a)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and commencement**

1. This Order may be cited as the Water Environment (Consequential Provisions) (Scotland) Order 2006 and shall come into force on 1st April 2006.

**Revocations and Amendments**

2. The revocations specified in Part I and the amendments specified in Part II of the Schedule to this Order shall have effect.

*RHONA BRANKIN*  
Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
8th March 2006

# SCHEDULE

Article 2

## PART I REVOCATIONS

<i>Reference</i>	<i>Instrument</i>	<i>Extent of revocation</i>
S.I. 1987/1782	The Control of Pollution (Exemption of Certain Discharges from Control) (Variation) Order 1987	The whole Order.
S.I. 1993/1155	The Control of Pollution (Registers) (Scotland) Regulations 1993(a)	Regulations 4A, 4B and 4C.
S.I. 1998/2746	The Groundwater Regulations 1998(b)	The whole Regulations.
S.S.I. 2000/323	The Pollution Prevention and Control (Scotland) Regulations 2000	Paragraph 16 of Part II of Schedule 10.
S.S.I. 2005/22	The Waste (Scotland) Regulations 2005	Regulations 6(4)(b) and 7.

## PART II AMENDMENTS

### **The Land Management Contracts (Menu Scheme) (Scotland) Regulations 2005**

1. In Part II of Schedule 2 (environmental legislation) to the Land Management Contracts (Menu Scheme) (Scotland) Regulations 2005(c), for paragraph 4 substitute–

“4. The Water Environment (Controlled Activities) (Scotland) Regulations 2005(d).”.

### **The Less Favoured Area Support Scheme (Scotland) Regulations 2005**

2. In Part I of Schedule 2 (environmental legislation) to the Less Favoured Area Support Scheme (Scotland) Regulations 2005(e), for paragraph 4 substitute–

“4. The Water Environment (Controlled Activities) (Scotland) Regulations 2005(d).”.

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(a) Regulations 4A, 4B and 4C were inserted by S.S.I. 2000/432.  
(b) Amended by S.S.I. 2000/323 and 2005/22.  
(c) S.S.I. 2005/225.  
(d) S.S.I. 2005/348.  
(e) S.S.I. 2005/569.

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, made under sections 36(3) and 37 of the Water Environment and Water Services (Scotland) Act 2003 (asp 3) (“the 2003 Act”), makes consequential provisions in respect of subordinate legislation necessary or expedient in consequence of the 2003 Act. The 2003 Act, together with the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (S.S.I. 2005/348) (“the 2005 Regulations”) made under that Act provide the mechanism by which activities which impact on the water environment are authorised and regulated in Scotland. The Water Environment (Consequential and Savings Provisions) (Scotland) Order 2006 will repeal the regime regulating pollution control in respect of the water environment contained in Part II of the Control of Pollution Act 1974 (“the 1974 Act”) with effect from 1st April 2006.

Article 2 gives effect to the revocations and amendments specified in the Schedule to the Order. The revocations are listed in Part I and the amendments in Part II of the Schedule respectively.

The purpose of those provisions is to make the existing legislative framework which regulates the water environment consistent with the new regulatory regime contained in the 2003 Act and the 2005 Regulations.

In particular the Order makes amendments to subordinate legislation consequential upon the repeal of Part II of the 1974 Act and revokes the Groundwater Regulations 1998.

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